

**OFFICE OF THE CHIEF OF POLICE**

**SPECIAL ORDER NO. 21**

**June 3, 2002**

**SUBJECT: RETENTION PERIOD FOR EXCESS PERSONAL PROPERTY -  
REVISED**

**PURPOSE:** Excess personal property received from prisoners is currently stored in Property Division for a period of 90 days from the date it is obtained. California Civil Code, Section 2080.10, decreases the retention period to 60 days from the date it is obtained and requires notification to the owner of the time period to claim his/her property before disposal. In addition to reducing the retention period, this Order modifies the Excess Personal Property Receipt, Form 10.08.0, to reflect the new 60-day retention period, as well as other minor changes.

**PROCEDURE:**

- I. PROPERTY TAKEN FROM AN ARRESTEE - REVISED.** An arrestee's personal property, which cannot be contained in a property package, shall be packaged as excess personal property.

Unclaimed excess personal property shall be held for 60 days from the date the Department took possession of the property before disposal. However, if the arrestee is to remain in custody, he/she may request, in writing, for the Department to hold the property for up to 10 months from the date the Department initially took possession of the property.

- II. EXCESS PERSONAL PROPERTY RECEIPT, FORM 10.08.0 - REVISED.** The Excess Personal Property Receipt, Form 10.08.0, has been revised to indicate a 60-day retention period for unclaimed excess personal property. The form has also been revised to notify the arrestee that he/she may request, in writing, for the Department to hold the property for up to 10 months from the date the Department initially took possession of the property, if he/she is to remain in custody.

The yellow receipts, previously used to document the transfer of property from one facility to another, have been eliminated.

- A. Use of Form.** This form shall be used by arresting officers to record the excess personal property of arrestees.

- B. Completion.** This form shall be completed when an arrestee's personal property is taken into custody by the Department. A Division of Records (DR) number is not required. All excess property shall be itemized.
- C. Distribution.** The original (white) shall be given to the arrestee. The copy (manila) shall be placed in the Personal Property Envelope, Form 10.13.1, and attached to the property.

**FORM AVAILABILITY:** The Excess Personal Property Receipt, Form 10.08.0, will be available for ordering from the Department of General Services, Distribution Center, in about 90 days. Until the new form is available, officers shall mark the previous version of the form to reflect the new 60-day period to claim excess property and the option for the Department to retain the property for 10 months from the time the Department took possession of the property.

**AMENDMENTS:** This Order amends Department Manual Sections 4/645.20 and 5/10.08.0.

**AUDIT REponsibility:** The Commanding Officer, Support Services Group, shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

**MARTIN H. POMEROY**  
Chief of Police

**DISTRIBUTION "D"**